

Article - Environment

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§8-402.

(a) Except as provided in subsection (b) of this section, the Department may not issue or renew a specific license unless the applicant demonstrates to the Department that there is storage or disposal capacity available inside or outside of this State for any low-level nuclear waste that the applicant may generate.

(b) This section does not apply:

(1) To the extent that the Department is authorized to issue a specific license under:

(i) An interstate compact or executive agreement made under § 7-227 of this article;

(ii) A rule or regulation adopted under § 8-403 of this subtitle;
or

(iii) An executive order issued under § 8-406 of this subtitle;

(2) To renewal of any license originally issued before January 1, 1986;

(3) To any facility that generated low-level nuclear waste before January 1, 1986;

(4) To any hospital, medical, or educational facility; or

(5) To any low-level nuclear waste, if, under standards adopted by rule or regulation, the Department finds that:

(i) The half-life or specific activity of the low-level nuclear waste is such that, within a period of not more than 6 months, the low-level nuclear waste will not require special handling, special subsurface disposal, or special storage; and

(ii) The low-level nuclear waste can be disposed of safely in the same manner as other hazardous substances or handled as conventional waste.

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